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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,757	01/25/2002	Makoto Tanaka	100809-00163(SCES 19.360)	9537
26304	7590	10/31/2006	EXAMINER SHIFERAW, ELEN I A	
KATTEN MUCHIN ROSENMAN LLP 575 MADISON AVENUE NEW YORK, NY 10022-2585			ART UNIT 2136	PAPER NUMBER

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/057,757		TANAKA ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Eleni A. Shiferaw		2136	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 August 2006.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3-5, 12 and 15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-5, 12 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/18/2006 has been entered.

#### ***Response to Amendment/Arguments***

2. Applicant's amendments/arguments with respect to all independent claims 3, 5, and 12 filed on 08/18/2006 have been fully considered but are moot in view of new grounds of rejection.
3. Claims 1-2, 6-11, 13-14, and 16 are previously withdrawn or non-elected.
4. Claims 3-5, 12, and 15 are presented for examination.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-5, 12, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harrison USPN 5,870,468 in view of Adiano et al. US PG PUBs 2002/0073312 A1.

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Regarding claims 3, 5, 12, and 15, Harrison discloses a method/system/computer program for use in making an information processing system carry out the jobs:

reading an original version of management information (col. 4 lines 1-4 and col. 2 lines 2-9; *non scrambled key stored in the memory is read*) and a first and a second encrypted version of the management information out of the data storage device to be verified (col. 4 lines 55-col. 5 lines 5; *reading and original key, encrypted first key = U1, and encrypted second key = U2*);

decrypting the first and the second encrypted version of the management information the first and the second encrypted versions of the management information system being encrypted by different encryption key (col. 3 lines 41-52 and col. 4 lines 55-col. 5 lines 5; *unscrambling first key U1 to produce unscrambled first key = S1, and unscrambling second key U2 to produce unscrambled second key S2*);

comparing the read original version of the management information and the respective first and second decrypted management information (col. 5 line 5 and claim 8 element g; *comparing original version Key with decrypted first and second keys*); and

validating the verified data storage device when the comparison result indicates that the read original version of the management information and both of the respective first and second decrypted management information are in a predetermined relationship with each other (claim 8 element h, claim 2 element 26, and col. 1 lines 52-col. 2 lines 32; *if match occurs key is validated and decryption access is performed*).

Harrison discloses reading original version of management information/non scrambled key, first and second encrypted versions (U1 and U2 encrypted keys, respectively), decrypting first and second encrypted versions (S1 and S2, respectively), comparing original version Key

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with decrypted first and second keys, and if comparison is successful validating comparison key data and allowing decryption, wherein the keys are stored in a storage device (see, col. 4 lines 55-col. 5 lines 5). Harrison does not explicitly disclose the keys compared and validated are identifying the data storage device (management information being a device identifier). However Adiano et al. discloses reading stored hard drive serial numbers, decrypting encrypted serial numbers, comparing the decrypted serial number with the current serial number and if much occurs allowing access (see 0032, abstract and fig. 10).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the teachings of Adiano et al. within the system of Harrison because they are analogous in data protection. One would have been motivated to incorporate the teachings of device identifier comparison within the system of Harrison because it would validate the integrity of the device name stored on the storage and prohibit unauthorized alteration of device name in the storage.

Regarding claim 4, Harrison further discloses wherein the encrypted version of the management information is encrypted with an encryption scheme using secret key information and the decryption is performed with that secret key information (fig. 1 element 11 and col. 3 lines 16-53).

### ***Conclusion***

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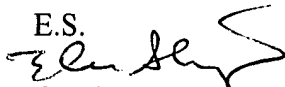
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eleni A. Shiferaw whose telephone number is 571-272-3867.

The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser R. Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

E.S.



October 28, 2006

NASSER MOAZZAMI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100



10,29,06